



## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/715,244
Filing Date	NOVEMBER 17, 2003
First Named Inventor	RAKESH VIG
Art Unit	1756
Examiner Name	MARTIN J. ANGEBRANDT
Attorney Docket Number	VTI-114.8(B)(CIP)

### ENCLOSURES (Check all that apply)

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>1. PTO/SB/08A and PTO/SB/08B |
|--|--|--|

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	KELLEY DRYE & WARREN LLP		
Signature			
Printed name	HANS-PETER G. HOFFMANN		
Date	DECEMBER 8, 2005	Reg. No.	37,352

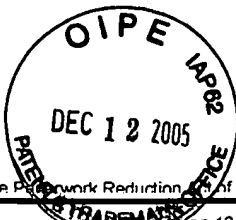
### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	HANS-PETER G. HOFFMANN	Date	DEC. 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Project of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**Complete if Known**

Application Number	10/715,244
Filing Date	NOVEMBER 17, 2003
First Named Inventor	RAKESH VIG
Examiner Name	MARTIN J. ANGEBRANDT
Art Unit	1756
Attorney Docket No.	VTI-114.8(B)(CIP)

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 11-0404 Deposit Account Name: Kelley Drye & Warren LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____	x _____	= _____				
HP = highest number of total claims paid for, if greater than 20.						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 or HP = _____	x _____	= _____				
HP = highest number of independent claims paid for, if greater than 3.						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement

Fees Paid (\$)

\$180.00

**SUBMITTED BY**

Signature	<u>Hans Peter G. Hoffmann</u>	Registration No. (Attorney/Agent)	37,352	Telephone	203-351-8011
Name (Print/Type)	HANS-PETER G. HOFFMANN			Date	DEC 8, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: December 8, 2005

  
Name: Hans-Peter G. Hoffmann



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Vig, et al.  
Application S/N : 10/715,244 Examiner: Martin J. Angebranndt  
Filing Date : 17 November 2003 Group Art Unit: 1756  
Title : BIS-PROPYL AMINE ANALOG AND COMPOSITION

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b). **The references listed on Form PTO/SB/08A and PTO/SB/08B were previously cited by or submitted to the office in prior U.S. Patent Application Serial No. 10/641,784, filed August 15, 2003, now U.S. Patent No. 6,952,392, U.S. Patent Application Serial No. 10/715,226, filed November 17, 2003, U.S. Patent Application Serial No. 10/418,898, filed April 17, 2003 and U.S. Patent Application Serial No. 11,113,516, filed April 25, 2005, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications). In accordance with the requirements, and since the references have been disclosed in the priority application, Applicants are not enclosing copies of the references herewith.**

( ) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on

12/13/2005 LWONDIM1 00000069 110404 10715244

01 FC:1806 180.00 DA

CT01/TERRV/222054.1

the merits of the above-identified application, no additional fee is required. The Commissioner is authorized to charge any fees required to Deposit Account No. 11-0404.

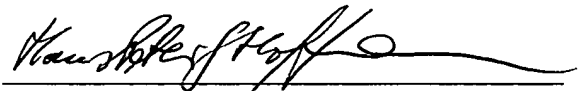
- ( X ) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
- ( ) Certification in accordance with §1.97(e) is set forth below.
- ( X ) The Fee of **\$180.00** as set forth in §1.17(p) is attached.
- ( ) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$ \_\_\_\_\_ as set forth in §1.17(p).

Please charge any necessary fees to Deposit Account No. 11-0404.

There are no listed references which are not in the English language or do not contain an English language abstract.

Date: December 8, 2005

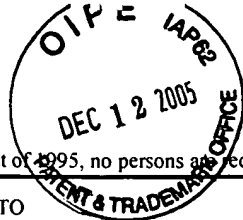
Respectfully submitted,



Hans-Peter G. Hoffmann  
Reg. No. 37,352  
Kelley Drye & Warren LLP  
Intellectual Property Department  
Two Stamford Plaza  
281 Tresser Boulevard  
Stamford, CT 06901-3229

Direct Tel.: 203-351-8011  
Facsimile: 203-327-2669  
e-mail: [hhoffmann@kelleydrye.com](mailto:hhoffmann@kelleydrye.com)

**Enclosures**



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/715,244
				Filing Date	17 NOVEMBER 2003
				First Named Inventor	RAKESH VIG
				Art Unit	1756
Examiner Name	MARTIN J. ANGEBRANDT				
Attorney Docket Number	VTI-114.8(B)(CIP)				
Sheet	1	of	2		

**U.S. PATENT DOCUMENTS**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,815,484	09-29-1998	SMITH, et al.	
		US-6,641,886	11-04-2003	BAKOS, et al.	
		US-6,589,626	07-08-2003	SELINFREUND, et al.	
		US-6,228,440	05-08-2001	DAILEY, et al.	
		US-6,011,772	01-04-2000	ROLLHAUS, et al.	
		US-2004/0121262	06-2004	SELINFREUND, et al.	
		US-2004/0004922	01-2004	SELINFREUND, et al.	
		US-2004/0121262	06-2004	SELINFREUND, et al.	
		US-2005/0107607	05-2005	VIG, et al.	
		US-2003/0219124	11-2003	SELINFREUND, et al.	
		US-6,338,933	01-2002	LAWANDY, et al.	
		US-5,963,536	10-1999	SCHNECK, et al.	
		US-6,638,593	10-2003	SELINFREUND, et al.	
		US-6,733,950	05-2003	BREITUNG, et al.	
		US-6,756,103	06-2004	THOMPSON, et al.	
		US-2004/0152017	08-2004	VIG, et al.	
		US-2004/0110088	06-2004	VIG, et al.	
		US-2002/0067674	06-2002	SCHNECK, et al.	
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 02/03386 A2	01-10-2002	SELINFREUND, et al.		
		JP 08-1228836 A	05-17-1996	ARAMAKI, et al.		
		JP 01-228976 A	09-12-1989	KUBO, et al.		
		WO 98/0818	02-1998	SOLLISH, et al.		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the twoletter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/715,244
				Filing Date	17 NOVEMBER 2003
				First Named Inventor	RAKESH VIG
				Art Unit	1756
				Examiner Name	MARTIN J. ANGEBRANNDT
Sheet	2	of	2	Attorney Docket Number	VTI-114.8(B)(CIP)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		J. DANEKE and H.W. WANZLICK, Liebigs Ann. Chem. 740, pp. 52-62 (1970)	
		STREKOWSKI, et al., "A Synthetic Rout to 3-(dialkylamino)phenothiazin-5-ium salts ...," J. Heterocyclic Chem., Vol. 30(6) pp. 1693-1695 (1993)	
		CHANDRA, et al., "Studies on Some New Phenothiazines," Can. J. Chem., (1967) Vol. 45, pp. 761-767	
		SARAF, et al., "Recent Advances in the Synthesis of Phenothiazines," Hetrocycles, (1987) Vol. 26 (1), pp. 239-273	
		CAUQUIL, et al., "No 195-Recherches dans la serie de la ...," Bull. Sco. Chim. France, (1955) pp. 1061-1075	
		DANEKE, et al., "Addition von Nucleophilen an in situ erzeugtes Phenazithonium Kation," Liebigs Ann. Chem., Vol. 740, pp. 52-62 (1970)	
		MORRISON & BOYD, "Organic Chemistry," Third Edition (1973), p. 360	
		MELLISH, et al., "Photochemistry and Photobiology," 2002, <i>In vitro</i> Photodynamic Activity of a Series of Methylene Blue Analogues, 75(4): pp. 392 - 397	
		TAYLOR, KENNETH B., "Chromatographic Separation and Isolation of Metachromatic Thiazine Dyes," Journal of Histochemistry and Cytochemistry, 1960 8, pp. 248 - 257.	
		International Search Report for International Application No. PCT/US04/37374, MAILED August 24, 2005.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1800-786-9199) and select option 2.